

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MANUEL GERVACIO ANGELES, individually, and
MANUEL GERVACIO ANGELES, on behalf of others
similarly situated,

Plaintiff,

-against-

180 EXPRESS DELI CORP., d/b/a 180 EXPRESS DELI, ALI
MOHAMED, and MOHAMED ALQUSHI,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/31/2021

1:19-cv-08809-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On July 13, 2021, Magistrate Judge Cott, to whom this matter was referred for settlement purposes, informed the Court that the parties had reached a consensual resolution of this case. Subsequently, the parties submitted a letter and documentation supporting the fairness of the settlement. [ECF No. 82.]

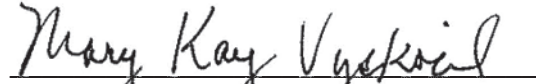
The Court has reviewed these documents for fairness in accordance with the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201, *et seq.*, and Second Circuit law, *see, e.g., Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015). In addition, the Court held a hearing on August 31, 2021. For the reasons stated on the record at the hearing, the Court has concluded that the terms of the proposed settlement are a fair and reasonable resolution of the genuine dispute. It should be noted, however, that in approving the settlement, the Court is not opining specifically on the reasonableness of the rates charged by counsel for Plaintiff, Plaintiff’s the application of the lodestar multiplier in FLSA cases, or the percentage of the settlement amount allotted to Plaintiff’s counsel under the agreement. The Settlement Agreement as a whole is approved as fair and reasonable in light of all the circumstances, including that it appears to be the product of an arms-length negotiation.

As explained at the August 31 hearing, the Court declines to retain jurisdiction over this matter to enforce the terms of the settlement agreement.

Accordingly, the settlement is approved and IT IS HEREBY ORDERED that the case be DISMISSED WITH PREJUDICE.

SO ORDERED.

**Date: August 31, 2021
New York, NY**


MARY KAY VYSKOČIL
United States District Judge